

In The Court Of Appeal Of The State Of California 146
Sixth Appellate District
San Jose, California

MONDAY, AUGUST 20, 2001

H021462 PEOPLE v. DENT

The judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)
Filed August 20, 2001

H021803 PEOPLE v. BRYANT

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)
Filed August 20, 2001

H021503 PEOPLE v. HERNANDEZ

The judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)
Filed August 20, 2001

TUESDAY, AUGUST 21, 2001

The Court met in its courtroom at 333 West Santa Clara
Street, Suite 1060, San Jose, California. Present: Premo, Acting
P.J.; Elia, J.; Mihara, J.; and Nancy M. Olea, Deputy Clerk.

H021314 IN RE LEON G.; THE PEOPLE v. LEON G.

Cause called and argued by Dennis W. Smith appearing for
Appellant and by Christopher Grove, Deputy Attorney General,
appearing for Respondent. Cause ordered submitted.

H021048 PEOPLE v. LEWIS

Cause called and argued by Daniel Byrne appearing for
Appellant and by Allan Yannow, Deputy Attorney General appearing
for Respondent. Cause ordered submitted.

H020595 PEOPLE v. DUNNO

Cause called and argued by Sharon Fleming appearing for
Appellant and by Michael Banister, Deputy Attorney General,
appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, August 21, 2001 (continued)

H021703 IN RE JENNIFER S.; D.F.&C.S. v. SUSAN S., et al.

Cause called and argued by Michael Rossi, Deputy County Counsel, appearing for Respondent Dept. of Family & Children's Services and by Frank Dougherty appearing for Respondent Jon N. Robert Masterson, Deputy District Attorney, appearing for Respondent children waives oral argument. Cause ordered submitted.

H021274 ABBATE v. COUNTY OF SANTA CLARA

Cause called and argued by Douglas Allen appearing for Appellant and by Martin Dodd appearing for Respondent. Cause ordered submitted.

H020443 KIPKIRWA v. SAN JOSE MERCURY NEWS

Cause called. Appellant did not appear. James Chadwick appearing for Respondent waived oral argument. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Mihara, J.; and Jane F. Varize, Deputy Clerk.

H020702 PEOPLE v. LAM

Cause called and argued by Ruth Mc Veigh appearing for Appellant and by Laurence K. Sullivan, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H019770 PEOPLE v. NGUYEN, et al.

Cause called and argued by Mark Greenberg appearing for Appellant Khoa Nguyen, by Lori Klein appearing for Appellant Sunny Nguyen, by Paul Couenhoven appearing for Appellant Ho Nguyen, and by George Hindall, Deputy Attorney General, appearing for Respondent. No appearance made by Julie Schumer for Appellant Son Nguyen. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, August 21, 2001 (continued)

HO21183 PEOPLE v. VEGA

Cause called and argued by Gordon B. Scott appearing for Appellant and by George F. Hindall, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

HO19764 ONG, et al. v. ENCABO ENTERPRISES, INC., et al.

Cause called and argued by Joseph P. Mascovich appearing for Appellants and by Robert M. Vantress appearing for Respondents. Cause ordered submitted.

HO22289 CELLULAR PHONE WHOLESALERS, INC. v. GTE MOBILNET OF CALIFORNIA; THE BRIX GROUP, INC.

Cause called and argued by Stanley Blumenfeld appearing for Appellant GTE Mobilnet of California and by James Toothman appearing for Appellant The Brix Group, Inc. and by Frear S. Schmid appearing for Respondent. Cause ordered submitted. Court is adjourned.

HO19963 HARVARD INVESTMENT CO., et al. v. DELUCCHI, ROBINSON, STREIT & CO., et al.

The judgment is affirmed. Respondents shall have costs on appeal. (not published)
(Wunderlich, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 21, 2001

WEDNESDAY, AUGUST 22, 2001

HO21046 PEOPLE v. HUTCHINSON

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 22, 2001

HO21605 PEOPLE v. JOHNSON, JR.

The judgment is affirmed. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 22, 2001

Sixth Appellate District

San Jose, California

THURSDAY, AUGUST 23, 2001

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P. J.; Elia, J.; Mihara, J.; and W. Magsaysay, Deputy Clerk.

H021996 PEOPLE v. SEAGRAVES

Cause called and argued by Carolyn M. Hagin appearing for Appellant and by Christopher Wei, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021123 PEOPLE v. IBARRA

Cause called and argued by J. Frank McCabe appearing for Appellant and by Violet Lee, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020677 PEOPLE v. BROWN

Cause called and argued by Alexandra D'Italia appearing for Appellant and by Mark S. Howell, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021663 PEOPLE v. RABAGO

Cause called and argued by Alexandra D'Italia appearing for Appellant and by Ronald E. Niver, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020952 FEARNEHOUGH v. CALIF. DEPT. OF VETERANS AFFAIRS, et al.

H021556 FEARNEHOUGH v. CALIF. DEPT. OF VETERANS AFFAIRS, et al.

Causes called and argued by Michael O'Harra appearing for Appellants and by Vincent Hurley appearing for Respondent. Causes ordered submitted. Court recesses until 1:30 p.m.

Sixth Appellate District

San Jose, California

Thursday, August 23, 2001 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P. J.; Elia, J.; Mihara, J.; and R. W. Norvelle, Deputy Clerk.

H021701 PEOPLE v. HERRERA

Cause called and argued by Ozro William Childs appearing for Appellant and by Christina V. Kuo, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022214 In re MARQUEZ on Habeas Corpus

Cause called and argued by Arthur Dudley appearing for Petitioner and by Christina V. Kuo, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021661 PEOPLE v. SMITH

Cause called and argued by Sandra Gilles appearing for Appellant and by Seth K. Schalit, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021153 DVD COPY CONTROL ASSOCIATION, INC. v. BUNNER

Cause called and argued by David Greene appearing for Appellant and by Robert G. Sugarman appearing for Respondent. Cause ordered submitted. Court is adjourned.

H021321 PEOPLE v. CHAN

H022316 In re CHAN on Habeas Corpus.

The appeal in H021321 is dismissed. The petition for a writ of habeas corpus and coram vobis (H022316) is denied. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)

Filed August 23, 2001

Sixth Appellate District

San Jose, California

Thursday, August 23, 2001 (continued)

H021829 PEOPLE v. GIBSON

H022445 GIBSON on Habeas Corpus.

The judgment is affirmed. On the petition for a writ of habeas corpus, let an order to show cause issue, returnable before the Superior Court of Santa Clara County, directing the Department of Corrections to show cause why defendant's petition should not be granted. A formal return shall be served and filed in the Santa Clara County Superior Court within 30 days of the issuance of the remittitur in this case. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)
Filed August 23, 2001

H020687 JAMES 3 CORPORATION, et al. v. TRUCK INSURANCE EXCHANGE

(Filed order modifying opinion.) There is no change in the judgment. (not published)
(Wunderlich, J.; Premo, Acting P.J., Bamattre-Manoukian, J.)
Filed August 23, 2001

H021966 PEOPLE v. ROSE

By the Court*:

Appellant's petition for rehearing is denied.
Filed: August 23, 2001
*Before Premo, Acting P.J., Elia, J. and Mihara, J.

H021015 PEOPLE v. DAVID T.

The judgment is affirmed. (not published)
(Elia, J.; We concur: Cottle, P.J., Mihara, J.)
Filed August 23, 2001

Sixth Appellate District

San Jose, California

FRIDAY, AUGUST 24, 2001

H020687 JAMES 3 CORPORATION, et al. v. TRUCK INSURANCE EXCHANGE
By the Court:

The written opinion which was filed on July 25, 2001, is certified for publication. (Wunderlich, J.; Premo, Acting P.J., Bamattre-Manoukian, J.)

The written opinion which was filed on July 25, 2001, has now been certified for publication pursuant to rule 976(b) of the California Rules of Court, and it is therefore ordered that it be published in the Official Reports.

Dated: August 24, 2001 Premo, Acting P.J.

H021928 DFCS v. JOSEFINA R.

H022947 In re JOSEFINA R. on Habeas Corpus

The juvenile court's order of July 13, 2000, terminating parental rights and choosing adoption as the permanent plan is affirmed.

The mother's writ petition, Case No. H022947, is denied.
(not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 24, 2001

H021262 POLYMER PLASTICS CORPORATION v. GOMBERG

The judgment is affirmed. Respondent shall recover his costs on appeal.(not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 24, 2001

H021206 BUENA VISTA COMMUNITY ASSOCIATION v. COUNTY OF SANTA CRUZ

The post-judgment order awarding attorneys' fees is affirmed. Respondent shall recover its costs on appeal. (not published)

(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 24, 2001

Sixth Appellate District

San Jose, California

Friday, August 24, 2001 (continued)

H022389 PEOPLE v. ALEXANDER L.

The order is affirmed. (not published)
(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed August 24, 2001

H021723 PEOPLE v. PACHECO

The judgment is affirmed. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)
Filed August 24, 2001

H020459 HERSHMAN, et al. v. CITY OF SANTA CLARA

The judgments are affirmed. (not published)
(Cottle, P.J.; We concur: Elia, J., Mihara, J.)
Filed August 24, 2001

H020571 RUFFO, et al. v. REDEVELOPMENT AGENCY OF THE CITY OF SAN
JOSE, et al.

The judgment is reversed as to the first and third causes of
action. Plaintiffs are awarded costs. (not published)
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)
Filed August 24, 2001

H021611 PEOPLE v. GARCIA

The judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Wunderlich, J.)
Filed August 24, 2001